

Appln. No. 10/648,895
Amendment
Reply to Final Office Action dated August 31, 2005

Docket No. 9585-4

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated August 31, 2005. This amendment is timely filed.

At the time of the Office Action, claims 1-6 were pending. In the Office Action, objections were raised to the abstract and specification. Claims 5 and 6 were rejected under 35 U.S.C. §112, second paragraph. Claims 1-7 were rejected under 35 U.S.C. §103(a). The objections and rejections are discussed in more detail below.

I. Objections to the Abstract and Specification

The abstract was objected to because it refers to the purported merits or speculative applications of the claimed invention. The last sentence of the abstract is deleted, as suggested by the Examiner. The Office Action strongly recommended the filing of a substitute specification. Applicant notes that a substitute specification was filed in response to the previous Office Action. No new matter was introduced into the substitute specification, because support for all amendments was found within the specification, claims and drawings as filed. With respect to the particular features of claim 1 listed in the Office Action, a "focus lamp unit chamber" is described on page 2, line 9 of the substitute specification. A "cold cathode lamp unit chamber" is described on page 2, line 19 of the substitute specification. A "flash lamp unit chamber" is described on page 2, line 24 of the substitute specification. Three light sources are described on page 2, line 26 of the substitute specification. It appears that the line numbering in the substitute specification is in error, and the line numbering given herein are the actual line numbers, without reference to the line numbers given in the margin of the document filed. As the substitute specification previously filed appears to address all of the objections to the specification, withdrawal of the objections to the abstract and specification are thus respectfully requested.

II. Claim Rejections under 35 U.S.C. § 112

Claims 5 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards

(WP269783:1)

Appln. No. 10/648,895
Amendment
Reply to Final Office Action dated August 31, 2005

Docket No. 9585-4

as the invention. Claims 5 and 6 are duly amended herein to clarify the subject matter that is being claimed, and withdrawal of the rejections under 35 U.S.C. §112, second paragraph is respectfully requested.

III. Rejections to the claims based upon Art

Claims 1-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,835,665 to Kao ("Kao") in view of U.S. Patent No. 5,903,219 to Chen ("Chen").

The rejection presented in the Office Action is a repetition of the rejection in the previous Office Action. Applicant traverses this rejection. Although the Office Action states that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references, Applicant respectfully notes that one cannot make a *prima facie* case of obviousness without some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The mere fact that features *could* be combined does not provide evidence that a person having ordinary skill in the art *would* combine such features absent some motivation to combine them. There is no teaching or suggestion in either Kao or Chen that an additional light source would be beneficial, and therefore there is no motivation for a person of ordinary skill in the art to add an additional light source or two to either reference.

Nevertheless, Applicant has introduced some of the subject matter of claim 2 into claim 1, along with details of the planar reflecting unit from the specification, in order to expedite processing of this application to allowance. Claim 1 now recites that in the inner chamber there are an arcuate reflecting unit for focusing light from the focus lamp unit, and a planar reflecting unit for diffusing light from the flash lamp unit. It is thus clear that not only are three light sources provided, but the three light sources provide different types of illumination, namely a focused beam of light, a diffuse light, and light from the cold cathode lamp. There is clearly no teaching or suggestion in Kao or Chen to provide three sources of light, much less three different sources of light. A person of ordinary skill in the art is aware that a cold cathode light provides bright, diffused illumination without giving off much heat. A cold cathode lamp enables the light source to be illuminated for a long period of time, while providing energy savings over incandescent

Appln. No. 10/648,895
Amendment
Reply to Final Office Action dated August 31, 2005

Docket No. 9585-4

lights, as noted in the specification on lines 17-20. The lamp of the present invention can thus be used for a greater variety of uses than either the lamp of Kao or Chen, or a lamp based on the combined teachings of the Kao and Chen references.

For the foregoing reasons, claim 1 is believed to relate to allowable subject matter. The dependent claims are also believed allowable because of their dependence upon an allowable base claim, and because of the further features recited.

V. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

Date: 11-30-05



Mark D. Passler
Registration No. 40,764
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 9585-4